

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TERRY HARRIS, et al.,
Plaintiffs,

v.

JOSEPH BORG,
Defendant.

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2:05-CV-1083-WKW

ORDER ON MOTION

Defendant's *Motion to Compel or, in the Alternative, for Sanctions Under Rule 37* (Doc. 15, April 4, 2006) alleges Plaintiffs' refusal to provide initial disclosures and otherwise to cooperate in Rule 26 discovery obligations. On December 21, 2005, Defendant filed his Answer to the Complaint in this action transferred from the Northern District on November 10, 2005. After the filing of a responsive pleading, the court generally enters a Rule 26 Order reminding the parties of their obligations to make initial disclosures and setting a deadline for the filing of their Rule 26 discovery plan. No such order has been entered herein through inadvertence likely arising from the reassignments of this case to three district judges; that oversight will be remedied promptly. For this cause, it is **ORDERED** that **Defendants' Motion for Sanctions is DENIED** and **Defendants' Motion to Compel is GRANTED** only to the extent that the parties (a) shall exchange initial disclosures not later than April 21, 2006, and (b) shall confer to develop their discovery plan not later than April 28, 2006, to be filed on a date set by order of the assigned district judge.

Done this 12th day of April, 2006.

/s/ **Delores R. Boyd**
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE